

THE SEWER BOARD OF THE CITY OF NEW ALBANY, INDIANA HELD A MEETING IN THE 3RD FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING, NEW ALBANY, INDIANA ON TUESDAY, JANUARY 3, 2006 AT 3:30 P.M.

PRESENT: Chairman Mayor James Garner, Vice Chairman Bill Utz, Mark Seabrook, Todd Solomon and Larry Kochert.

OTHERS: Attorney Greg Fifer, Rob Sartell and Brian Dixon, EMC, Tina Haley, Sewer Billing Manager Kelly Welsh and City Clerk Marcey Wisman.

CALL TO ORDER:

Mayor Garner called the meeting to order at 3:30 p.m.

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Solomon moved to approve the December 20, 2005 minutes, Mr. Utz second, all voted in favor.

Kochert moved to approve the minutes with page 3 corrected, Mr. Utz second, all voted in favor.

COMMUNICATIONS - PUBLIC:

Ms. Johnson asked if LaFollette was up and running, what was connected and if there have been any problems.

Mr. Dixon confirmed that it was up and running and that there were no problems.

Ms. Johnson asked if there was any news on the sewer credits.

Mr. Fifer stated that he called before Christmas and has not heard back from them.

Ms. Johnson asked if they have received a letter informing the board as to when the demonstration period would begin and what they would need to do to comply.

Mr. Fifer stated that we are still waiting for a letter.

Chad McCormick, FSMS, reviewed the memo that he put in the board's packets and a summary that he presented to the board at the meeting. Both are in file with the City Clerk.

Mr. Kochert asked how far they are with the commercial property.

Mr. McCormick stated that they have not been contracted to do that.

Mayor Garner stated that this is part of Task Order 9 which was not funded as of yet.

Mr. Solomon moved to recommend to the Council to approve the Illicit Discharge Ordinance, Mr. Utz second, all voted in favor.

Mr. Solomon had questions regarding the Task Order 9 regarding digitizing residential properties.

Mr. McCormick stated that it would not be necessary to digitize residential.

There was a lengthy discussion regarding individual items on Task Order 9. It was

decided that after the Mayor's meeting with Mr. McCormick, they would bring a revised Task Order 9 to the board.

COMMUNICATIONS - CITY OFFICIALS

Mr. Fifer presented a revised ordinance for sanitary sewer connection fee and explained the revisions.

Mr. Kochert asked if we need to put in it that new clean outs would need to be placed in the line.

Mr. Dixon stated that the documents they just put in the contractors packet specifies that new lines need to have clean outs.

Mr. Kochert asked if Mr. Fifer could put the clean out requirement in the ordinance.

There was a lengthy discussion as to where the clean outs should be placed in existing lines and whether or not the language needed to be added to the ordinance and how it should read.

Mr. Fifer stated he would make the change and get the ordinance to the City Clerk.

Mr. Solomon motion to approve the Connection Fee Ordinance with the addition of language requiring new clean outs for existing connections, Mr. Utz second, all voted in favor.

SEWER ADJUSTMENTS:

Item #1 - Kelly Welsh re: sewer adjustment requests

1. Connie Larson, 1507 Starhaven Drive, requested adjustment for a leak that occurred outside her home at the meter.

Mr. Utz moved to approve with the usage of 52.15, Mr. Kochert second, all voted in favor.

OLD BUSINESS:

Item #1 – Approval of bid for bar screen project

Jim Miller, Donahue Engineering, made a recommendation to the board to accept the bid of Arnold, Dugan and Meyer in the amount of \$710,000.00.

Mr. Solomon stated that he believes that we need to consider our experiences with Arnold, Dugan and Meyer. He stated that he could not vote for approval of Arnold, Dugan and Meyer.

Mr. Seabrook asked Mr. Fifer what liability there could be for not accepting their bid.

Mr. Fifer stated that he didn't feel there could be any provided the Board sufficiently explains why they did not accept the lowest bid based on past experience with ADM, and that ADM was not deemed to be a responsible bidder.

Mr. Solomon made a motion to award the contract to MAC Construction based on MAC being the lowest most responsive and responsible bidder and the experience with ADM charging an additional \$1.5 million on the plant expansion project without giving timely notice of a claim for increased cost in accordance with the contract provisions, Mr. Kochert second, all voted in favor.

Item #2 – Chad McCormick re: approval of Task Order 9.

Mayor Garner asked that this item be placed on agenda for the next meeting.

Item #3 – Brian Dixon re: Task Order No. 1 to Continue Professional Services Agreement between City of New Albany and Donahue & Associates.

Jim Miller stated that he asked Mr. Gress to discuss this with Mr. Solomon.

Mr. Solomon reported that Mr. Gress will have that information to us by next Thursday or Friday.

Mayor Garner asked that this item be put off until the next meeting.

Mike Feltz, Clark Dietz, stated that in regards to the bills that the board has questions on, he has not been able to get in contact with the key people to be able to answer their questions. He will have that information for the next meeting.

Mr. Fifer asked him if he had any information on the Robert E. Lee Lift Station permits.

Mr. Feltz reported that all permits have cleared.

Mr. Solomon asked him about the data from basin 4.

Mr. Feltz reported that they have not received flow monitor data yet.

There was a lengthy discussion regarding the basin 4 projects and the overflow problems that they are finding.

Mr. Fifer asked Jim Miller what the completion date of the bar screen project would be.

Mr. Miller stated that it would be August 1st.

NEW BUSINESS:

Mr. Fifer presented a contract for the city to retain his services for 2006.

Mr. Seabrook moved to approve, Mr. Kochert second, all voted in favor.

EMC REPORT:

Mr. Utz asked when the sidewalk by the Mt. Tabor Lift Station was going to be repaired.

Mr. Dixon reported that they could not get either contractor to come forward so EMC would probably take care of it.

CLAIMS:

Mr. Sartell presented the claim for the Courier Journal in the amount of \$5,545.48 for the legal ad on the bar screen project bid. He stated that he called and they informed him that their last two day ad for a bid cost over \$6,000.00.

Mr. Kochert moved to approve, Mr. Solomon second, all voted in favor.

Mr. Dixon had a claim for Clark Dietz in the amount of \$4,050.00 for work on the permit applications for the Robert E. Lee Lift Station.

Mr. Solomon moved to approve the \$4,050.00 claim for Clark Dietz, Mr. Kochert second, all voted in favor.

Mr. Seabrook asked if there was any news on Blackberry Ridge.

Mr. Fifer reported that he attended a pre-trial hearing last week and they agreed to go to mediation.

There was a lengthy discussion regarding the Blackberry Ridge project and whether the line will have the capacity to support the project where they want to hook on.

ADJOURNMENT:

There being no further business before the Sewer Board, the meeting adjourned at 4:33 p.m.

Respectfully submitted,

Mayor James Garner, Chairman

Marcey Wisman, City Clerk